

### REMARKS

Claims 1-40 and 45-52 are pending in this application with claims 1, 14, 29, 30, 31, 36 and 45 being independent. Claims 45 and 47 have been amended.

Applicant wishes to thank Examiner Baugh for conducting an interview on July 6, 2004 with applicant's representative, the substance of which is incorporated herewith.

The Examiner has objected to claim 47 as being in improper form. Claim 47 has been amended in accordance with the Examiner's recommendation.

Independent claims 1, 14, 29, 30, 31, 36, and 45 have been rejected along with their dependent claims 2-13, 15-28, 32-35, 37-40, and 46-52 as being anticipated by Hutton (U.S. Patent No. 6,513,066) in view of Mattaway (U.S. Patent No. 6,275,490).

Claims 1, 29, and 31 recite a method, apparatus, and computer program for transferring a file from a first client to a second client. Language from claim 1 is quoted below as exemplary. Incident to the claimed transfer, are limitations of "sending, through the communications system host, a request to the second client to establish a direct connection to the second client; [and] when the second client accepts the request, establishing a direct connection to the second client that bypasses the communications system host ..." Applicant requests reconsideration and withdrawal of the rejection of claims 1, 29, and 31 because neither Hutton, Mattaway, nor any combination of the two describes or suggests the recited operation of sending, through the communications system host, a request to establish a direct connection with the second client and establishing that direct connection if the second client accepts the request.

As stated in the response mailed on January 22, 2004, Hutton discloses a communications system 10 that includes a connection server 26, a first processing unit 12, and a second processing unit 22. Hutton, however, does not describe or suggest "when the second client *accepts* the request, establishing a direct connection to the second client that bypasses the communications system host" (emphasis added). In Hutton, the first processing unit 12 sends a connection request to the connection server 26, which accesses a database 34 to determine whether the user of the second processing unit 22 is online. If the user is online, the connection

server 26 enables the first processing unit 12 to establish a point-to-point Internet connection (i.e., a direct connection) with the second processing unit 12 by sending the Internet Protocol (IP) address of the second processing unit 22 to the first processing unit 12 (col. 6, lines 28-41). The first processing unit 12 then uses the IP address to establish a direct connection with the second processing unit 22. Accordingly, the second processing unit 22 is never given the opportunity to "accept" the establishment of the direct connection with the first processing unit 12, as claimed. Moreover, a "request ... to establish a direct connection" is not sent through connection server 26 to the second processing unit 12 of Hutton.

Mattaway does not remedy the deficiencies of Hutton. In Mattaway, a caller's WebPhone client originates a call by querying a connection/information server to retrieve the last known IP address assigned to a call recipient's WebPhone client. Upon receiving the IP address from the connection/information server, the caller's WebPhone client uses the IP address to establish a direct point-to-point connection with the call recipient's WebPhone client. See col. 7, line 54 to col. 8, line 9. Like Hutton's system, Mattaway's system never gives the call recipient's WebPhone client the opportunity to "accept" the establishment of the direct connection with the caller's WebPhone client, as claimed.

For at least these reasons, applicant requests reconsideration and withdrawal of the rejection of claims 1, 29, 31, and their dependent claims.

Claims 14, 30, and 36 recite a method, apparatus, and computer program that include the limitation "receiving, through the communications system host, a request from the first client to establish a direct connection; accepting the request from the first client; establishing a direct connection to the first client that bypasses the communications system host; ... " For at least the reasons discussed above, applicant requests reconsideration and withdrawal of the rejection of claims 14, 30, 36 and their dependent claims.

Claim 45, as amended, recites a user interface that includes "a second graphical user interface element structured and arranged to enable an operator of the second client to *authorize the establishment of the direct connection* and a file transfer over the direct connection" (emphasis added). Neither Hutton, Mattaway, nor any combination of the two describes or

suggests a user interface element that enables an operator of a second client to authorize establishment of a direct connection between the second client and a first client.

In Hutton, the operator of the second processing unit 22 is not able to authorize establishment of the point-to-point connection between the first processing unit 12 and the second processing unit 22. Similarly, in Mattaway, the call recipient is not able to authorize establishment of the point-to-point connection between the caller's WebPhone client and the call recipient's WebPhone client. Accordingly, neither Hutton nor Mattaway contemplates the recited second user interface element. For at least these reasons, applicant requests reconsideration and withdrawal of the rejection of claim 45 and its dependent claims.

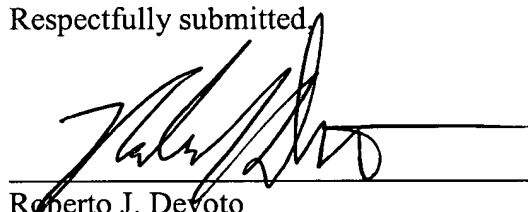
Applicants submit that all claims are in condition for allowance.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

7/9/09



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